

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LOWEY DANNENBERG COHEN PC, etc.,

Plaintiff,

-against-

08 Civ. 0461 (LAK)

JAMES R. DUGAN, II, et al.,

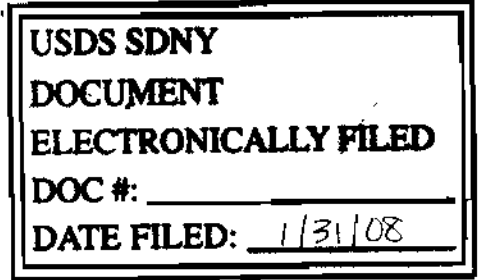
Defendants.  
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### ORDER

LEWIS A. KAPLAN, *District Judge*.

Plaintiff having moved for a preliminary and a permanent injunction, pursuant to Fed. R. Civ. P. 65 and 28 U.S.C. § 2361, the Court having considered the papers, heard argument, and made findings of fact and conclusions of law on the record in open court, and defendants Dugan and Murray having consented, in light of the Court's determination to grant a preliminary injunction, to having the preliminary injunction made permanent, it is hereby

ORDERED, that defendants are enjoined and restrained, pending the hearing and determination of this action and, in the case of defendants Dugan and Murray, permanently, from instituting, prosecuting, or continuing to prosecute any action or proceeding in any state or United States court (other than this action), including without limitation *Dugan, et al. v. Murphy, et al.*, 2007-06907 in Section 10-F of the Civil District Court for the Parish of Orleans, State of Louisiana (filed July 18, 2007), relating to, affecting, or asserting any claim to the Rezulin Settlement Fund as that term is defined in plaintiff's moving papers, and it is further



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ORDERED, that no security shall be required for this injunction, and it is further

ORDERED, that defendants' motion to dismiss the complaint is denied as moot for reasons stated on the record in open court.

SO ORDERED.

Dated: January 31, 2008

Issued at: 3:42 p.m.

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", is written over a horizontal line.

Lewis A. Kaplan  
United States District Judge